

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54717 of 2022

Arising Out of PS. Case No.-339 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Mantu Kumar @ Mantu Yadav @ Matu Yadav S/O Awadh Kishor Yadav @
Motiya Resident Of Village- Azad Bigha, Police Station- Magadh Medical,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 30(a)
of the Bihar Prohibition & Excise Act.

There is recovery of 100 litres of country made
liquor. The name of the petitioner sprang up on the basis of
disclosure of villagers.

It is submitted by learned counsel for the
petitioner that petitioner was not apprehended from the
spot. Nothing was recovered from the conscious possession
of the petitioner. The petitioner has no concern either with



the seized illicit liquor or with the place of seizure.

Learned APP appearing on behalf of the State vehemently opposed the prayer of petitioner and submitted that petitioner is accused in four other cases of similar nature.

Considering the fact that apart from the present one petitioner is accused in five other cases and out of which four are of similar nature, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the petition is disposed off with a liberty to the petitioner to surrender before learned Court below and pray for regular bail. The learned Court below may consider the prayer for regular bail of the petitioner, keeping in view the facts discussed above and without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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